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DRAWING AMENDMENT

The Applicant has amended FIG. 1 on Replacement Sheet 1/3 to include a reference sign "1" for the activity monitor.

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- REMARKS -

Specification. In the Non-Final Office action, Examine Shah objected to the specification for having a typographical error. The Applicant has amended the specification herein to correct the typographical error, and no new matter was introduced by the amendment of the specification herein. Withdrawal of the objection to the specification is therefore respectfully requested.

Drawings. In the Non-Final Office Action, Examiner Shah objected to the drawings under 37 C.F.R. §1.84(p)(5) for failing to show a reference sign "1" for the activity monitor. The Applicant submits a Replacement Sheet 1/3 including a reference sign "1" for the activity monitor. No new matter was introduced by the amendment of the drawings herein. Withdrawal of the objection to the drawings is therefore respectfully requested.

Claims. In the Non-Final Office Action, Examiner Shah objected to and rejected pending claims 1-8 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

- A. Examiner Shah objected to claims 4 and 6 for failing to include proper antecedent basis

The Applicant has amended claims 4 and 6 herein to obviate this objection to claims 4 and 6. Withdrawal of the objection of claims 4 and 6 is therefore respectfully requested.

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B. Examiner Shah rejected claims 1, 2, 5, 6 and 8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,122,960 to *Hutchings* et al.

The Applicant has thoroughly considered Examiner Shah's remarks concerning the patentability of claims 1, 2, 5, 6 and 8 over the *Hutchings*. The Applicant has also thoroughly read the *Hutchings*. To warrant this §102(b) rejection of claims 1, 2, 5, 6 and 8, *Hutchings* must show each and every limitation of independent claims 1 and 6 in as complete detail as in contained independent claims 1 and 6. See, MPEP §2131. The Applicant respectfully traverses this §102(b) rejection of independent claims 1 and 6, because, among other things, *Hutchings* fails to show "characterised in that the measurement unit has a single output channel and is operable to output the sensor signals in turn on the output channel" in as complete detail as recited in independent claim 1, and "characterized in that the sensor signals are monitored in turn via a single channel" in as complete detail as recited in independent claim 6.

As to the traversal, a proper understanding of *Hutchings* reveals the fact that *Hutchings* teaches a measurement unit consisting of three (3) magnetometers 48, three (3) linear accelerometers 49, and three (3) rotational sensors 50 as shown in FIG. 16. *Hutchings* teaches the output channels of all nine (9) sensors 48-50 are individually connected to an analog processor 52, and alternatively teaches each sensor 49 as having two output channels. See, *Hutchings* at column 23, line 56 to column 24, line 21. *Hutchings* therefore discloses the measurement unit as having nine (9) or twelve (12) output channels as opposed to a single output channel as required by independent claims 1 and 6.

Withdrawal of the rejection of independent claims 1 and 6 under 35 U.S.C. §102(b) as being anticipated by *Hutchings* is therefore respectfully requested.

Claims 2 and 5 depend from independent claim 1. Therefore, dependent claims 2 and 5 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2 and 5 are allowable the *Hutchings* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Hutchings*. Withdrawal of the rejection of dependent claims 2 and 5 under 35 U.S.C. §102(b) as being anticipated by *Hutchings* is therefore respectfully requested.

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Claim 8 depends from independent claim 6. Therefore, dependent claim 8 includes all of the elements and limitations of independent claim 6. It is therefore respectfully submitted by the Applicant that dependent claim 8 is allowable the *Hutchings* for at least the same reason as set forth herein with respect to independent claim 6 being allowable *Hutchings*. Withdrawal of the rejection of dependent claim 8 under 35 U.S.C. §102(b) as being anticipated by *Hutchings* is therefore respectfully requested.

- C. Examiner Shah rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,122,960 to *Hutchings* in view of U.S. Patent No. 6,466,821 B1 to *Pianca* et al.

Claim 3 depends from independent claim 1. Therefore, dependent claim 3 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 3 is allowable the *Hutchings* in view of *Pianca* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Hutchings*. Withdrawal of the rejection of dependent claim 3 under 35 U.S.C. §103(a) as being unpatentable over *Hutchings* in view of *Pianca* is therefore respectfully requested.

- D. Examiner Shah rejected claims 4 and 7 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,122,960 to *Hutchings* in view of U.S. Patent No. 6,201,476 B1 to *Depeursinge* et al.

Claim 4 depends from independent claim 1. Therefore, dependent claim 4 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 4 is allowable the *Hutchings* in view of *Depeursinge* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Hutchings*. Withdrawal of the rejection of dependent claim 4 under 35 U.S.C. §103(a) as being unpatentable over *Hutchings* in view of *Depeursinge* is therefore respectfully requested.

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Claim 7 depends from independent claim 6. Therefore, dependent claim 7 includes all of the elements and limitations of independent claim 6. It is therefore respectfully submitted by the Applicant that dependent claim 7 is allowable the *Hutchings* in view of *Depeursinge* for at least the same reason as set forth herein with respect to independent claim 6 being allowable *Hutchings*. Withdrawal of the rejection of dependent claim 7 under 35 U.S.C. §103(a) as being unpatentable over *Hutchings* in view of *Depeursinge* is therefore respectfully requested.

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SUMMARY

The Applicant respectfully submits that claims 1-8 fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Shah is respectfully requested to contact the undersigned at the telephone number listed below.


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Respectfully submitted,
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